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9
10 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-698*

13 **DENISE LYNN RUZA,**
14 **AKA DENISE L. RUZA**
411 Zane Street
Glendale, West Virginia 26038

A C C U S A T I O N

15 **Registered Nurse License No. 717496**

16 Respondent.

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19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs.

24 2. On or about December 26, 2007, the Board of Registered Nursing issued
25 Registered Nurse License Number 717496 to Denise Lynn Ruza, also known as Denise L. Ruza
26 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to
27 the charges brought herein and will expire on January 31, 2014, unless renewed.

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1 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs
2 may be included in a stipulated settlement.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Out of State Discipline)**

5 8. Respondent has subjected her Registered Nurse License to disciplinary action
6 under Code section 2761, subdivision (a)(4), in that her Ohio registered nurse license was
7 disciplined pursuant to Ohio Revised Code (ORC) section 4723.28 by the State of Ohio Board
8 Of Nursing (Ohio Board) in a disciplinary action, which resulted in her being REPRIMANDED
9 and fined \$500.00, and in addition to the requirements of license renewal, required to
10 successfully complete five hours each of Ethics and Critical Thinking, and two hours of Ohio
11 Law and Rules continuing nursing education. The circumstances are as follows.

12 9. Since 1994, Respondent has been licensed to practice nursing as a registered
13 nurse in the State of Ohio by virtue of the issuance by the Ohio Board of registered nurse license
14 number RN-255608.

15 10. On September 24, 2010, pursuant to ORC Chapter 4723, the Ohio Board took
16 disciplinary action against Respondent's registered nurse license in a matter entitled, *Consent*
17 *Agreement Between Denise Lynn Ruza, R.N. and Ohio Board of Nursing*, by offering
18 stipulations, admissions, and understandings of terms, conditions, and limitations of settlement
19 for Respondent's concurrence and ratification by the Ohio Board. The Ohio Board found
20 Respondent to have engaged in activities that exceeded the practice of nursing as a registered
21 nurse, which is a ground for discipline under ORC section 4723.28, subdivision (B)(20).

22 11. The facts that led to the discipline are as follows. On August 13, 2009,
23 Respondent stated in a written statement that her son was on probation and subject to a drug free
24 contract and drug screening. Respondent admitted that on or about November 6 and 7, 2008, she
25 administered without prescription a .25 milligram dose of Xanax to her son.

26 12. On March 19, 2010, the Ohio Board sent Respondent a Notice of Opportunity for
27 Hearing. On September 24, 2010, the Ohio Board ratified the Consent Agreement as its order in
28 resolution of the disciplinary action. In the Order, Respondent was reprimanded and fined

1 \$500.00 and her registered nurse license subjected to renewal with the additional requirements of
2 successful completion and satisfactory documentation of successful completion of continuing
3 nursing education to include five hours of Ethics Course, two hours of Ohio Law and Rules
4 Course, and five hours of Critical Thinking Course. Respondent's registered nurse license was
5 placed on restriction in that any violation or breach of any term or condition could result in
6 Respondent's registered nurse license's automatic suspension.

7 **SECOND CAUSE FOR DISCIPLINE**

8 **(Out of State Discipline)**

9 13. Respondent has subjected her Registered Nurse License to disciplinary action
10 under Code section 2761, subdivision (a)(4), in that her license to practice nursing in North
11 Carolina was disciplined by the State of North Carolina Board of Nursing (North Carolina
12 Board) in a disciplinary action, which resulted in her license being reprimanded. The
13 circumstances are as follows:

14 14. The North Carolina Board issued Respondent registered nurse certificate number
15 200787, which expired on December 31, 2012, unless renewed.

16 15. On January 3, 2011, pursuant to North Carolina General Statutes (NCGS) Chapter
17 90, Article 9A and Chapter 150B-38, Article 3A, the North Carolina Board issued Respondent a
18 Summary Action Order in a matter entitled, *In the Matter Involving: Denise Lynn Ruza*
19 *Registered Nurse Certificate #200787*, to summarily impose on Respondent's registered nurse
20 certificate the same disciplinary action of reprimand imposed by the Ohio Board, as detailed in
21 paragraphs 8 to 12, above, pursuant to NCGS section 90-171.37 and Regulation 21 North
22 Carolina Administrative Code (NCAC) section 36.0217, subdivision (d).

23 16. The facts that led to the discipline are as follows. On October 2, 2010,
24 Respondent renewed her North Carolina license to practice nursing. To the question that asks,
25 "Have you had or do you now have pending any action against a nursing license issued to you by
26 another state/province," and Respondent answered "no." Respondent falsified her application
27 seeking renewal of her license in North Carolina, which is a violation of North Carolina Nursing
28 Practice Act and NCGS section 90-171.37, subdivision (1), subdivision (6), subdivision (7), and

subdivision (8), and as further identified in Regulation 21 NCAC section 36.0217, subdivision (c)(15). Earlier, the North Carolina Board received information from the Ohio Board that on September 24, 2010, Respondent entered into a Consent Agreement with the Ohio Board in which she was reprimanded for exceeding her scope of practice as a licensed nurse, which is a ground for discipline in North Carolina under NCGS section 90-171.37, subdivision (5), subdivision (6), subdivision (7), and subdivision (8), and further identified in regulation 21 NCAC section 36.0217, subdivision (c)(6).

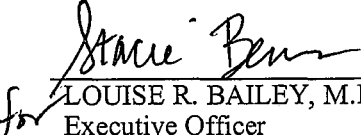
17. On January 13, 2011, the North Carolina Board Summary Action order became a public record pursuant to NCGS Chapter 132 and North Carolina Board policy upon Respondent's failure to submit a written objection within ten days from the date of issuance of the Order on January 3, 2011.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 717496, issued to Denise Lynn Ruza, also known as Denise L. Ruza;
2. Ordering Denise Lynn Ruza to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: MARCH 2, 2013


LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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